

South Kesteven District Council

APPENDIX 2

Promoting pride in our communities

Agenda item

LICENSING ACT 2003 - APPLICATION FOR VARIATION TO A LICENCE - LADY ANNE'S HOTEL, 37-38 HIGH STREET, ST. MARTIN'S, STAMFORD

- Meeting of Alcohol, Entertainment & Late Night Refreshment Licensing Committee, Friday, 17th March, 2006 9.30 am (Item 193.)

a) APPLICATION FOR VARIATION TO A PREMISE LICENCE – LADY ANNE'S HOTEL, 37-38 HIGH STREET, ST. MARTIN'S, STAMFORD

Report ENV346 from the Head of Environmental Health and Licensing

(Enclosure)

b) APPLICATION FOR A VARIATION TO A PREMISE LICENCE – ROYAL BRITISH LEGION, BARROWBY

Report ENV349 from the Head of Environmental Health and Licensing

(Enclosure)

(THE APPENDICES TO THE REPORTS AT AGENDA ITEMS 4 (a) AND (b) ARE ATTACHED FOR COMMITTEE MEMBERS ONLY. IF ANY OTHER MEMBERS WISH TO SEE THE SUPPORTING INFORMATION, PLEASE CONTACT THE HEAD OF ENVIRONMENTAL HEALTH AND LICENSING)

Minutes:

Decision:-

That the application for variation of a premises licence in respect of the Lady Anne's Hotel, 37-38 High Street, St. Martins, Stamford be agreed as applied for with the following conditions:

- 1) *The noise level for the premises whilst being used for public entertainments purposes shall not exceed 85 decibels or at a level specified in writing by the Head of Environmental Health and Licensing, measured at any point.*
- 2) *The licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments in a log book kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action.*

Note to applicant – that regular dialogue and consultation with neighbours to the Lady Anne's Hotel should occur.

The Committee had before them the Head of Environmental Health and Licensing's report ENV346 in relation to an application for a variation to a licence in respect of The Lady Anne's Hotel, 37-38 High Street, St. Martin's, Stamford. A full copy of the application was attached at appendix one, including a plan showing the location of the premises. Representations received from two local residents were attached at appendix two.

The Clerk to the Committee, in introducing the application, clarified the speakers. Present were the applicants and their representative.

The Chairman sought and received confirmation that the applicant had received and understood the procedure to be followed.

In introducing the report, the Head of Environmental Health and Licensing reminded the Committee that the application was for the variation of a licence to increase the number of hours during which regulated entertainment could be provided and to provide longer hours for the retail sale of alcohol both inside the building and a marquee on the grounds, with 45 minutes drinking up time. The application also included

provision of late night refreshment and to provide for the consumption of alcohol in an external area of grassland. The applicant also sought to remove the restriction attached to the current licence by reason of the old supper hours conditions imposed by virtue of the former legislation. The variation also requested the sale and consumption of alcohol for residents should be available until 02:00. The Head of Environmental Health and Licensing confirmed that the number of complaints received recently by the Environmental Health Team had been minimal.

The representative for the applicant had prepared additional information, which was circulated to the Committee. Committee Members were concerned that circulating information at the meeting meant that they would not have a sufficient interval to fully consider the material. The officers and applicants left the room while the Committee examined the new information.

On returning to the meeting, the applicant's representative presented their case. In addition to residential accommodation, the hotel provided facilities for private functions and conferences. When the 2003 Licensing Act had come into force, the applicants had chosen only to convert their licence. The provision of live music in the marquee would finish at an earlier time than the entertainment in the building. Following complaints to the Environmental Health Department in the past, a noise policy was introduced and a noise limiter, set at a level of 85 decibels, was fitted. The applicant had undertaken an independent sound assessment, which showed the noise level to be below this in a simulated trial. During events, the supervisor would measure the sound level at areas around the premises. The applicant confirmed that the noise limiter was fitting inside the marquee, when questioned by the Head of Environmental Health and Licensing.

Members of the Committee were then given the opportunity to question the applicant. Issues raised included issues raised in the letter of objection about noise levels, the positioning of the noise limiter, the difference that people inside the marquee would make to volume levels and the level of dialogue with neighbours.

In summing up, the Head of Environmental Health and Licensing reminded the Committee that the application was for the variation of a premises licence, which would increase times for the sale and consumption of alcohol, increase the hours at locations at which regulated entertainment could be provided, and supply alcohol for residents of the hotel until 02:00.



The applicant's representative then summed up and the officers, applicants and applicant's representative left the room.

The Committee then considered the application in detail and it was proposed, seconded and agreed that the licence should be granted as applied for with conditions attached, stipulating that the noise limiter should be set at a level of 85 decibels or at a level specified in writing. The Committee also agreed that the licence holder should carry out regular assessments of noise emanating from the premises, which should be logged in a book kept for that purpose. The Committee also stated that they would encourage the applicant to engage local residents more fully.

The officers and applicant then returned to the meeting, and were advised of the decision, as noted above.

11:00-11:17 - Meeting adjourned

Supporting documents:

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- ENV346 LADY ANNE'S HOTEL, item 193.  PDF 109 KB
- ENV349 ROYAL BRITISH LEGION, item 193.  PDF 84 KB